

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**No. CR 17-965 JB**

KIRBY CLEVELAND,

Defendant.

**UNOPPOSED MOTION TO EXTEND DEADLINE TO FILE REPLIES**

Defendant Kirby Cleveland, by and through his attorneys of record, Theresa M. Duncan and Donald F. Kochersberger III, submits the following Motion requesting that the deadlines for Defendant to file his Replies in support of the motions filed as Document Nos. 72, 73, 74, 75, 77, 78, 80, and 81 be extended through November 19, 2018, and in support the Defendant STATES:

1. Replies in support of the Motions filed as Document Nos. 75, 77, 80, and 81 were due on November 13, 2018.
2. Replies in support of the Motions filed as Document Nos. 72, 73, 74, and 78 are currently due on November 16, 2018.
3. Mr. Cleveland filed multiple complex and potentially dispositive motions between approximately September 25 and October 1, 2018.
4. The United States has thus filed several complex and lengthy responses between approximately October 30 and November 7, 2018. *See* Doc. Nos. 89-92, 94-96, 98.
5. Mr. Cleveland's counsel therefore requires additional time to finish preparing the numerous replies which address the government's arguments in opposition to his motions.

6. Assistant United States Attorneys Michael Murphy does not oppose the Court granting this Motion.

WHEREFORE, the Defendant respectfully requests that the Court issue an Order extending the deadline for filing replies in support of these motions until November 19, 2018.

Respectfully Submitted:

*/s/ Donald F. Kochersberger III*

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*Attorneys for Defendant Kirby Cleveland*

I HEREBY CERTIFY that on the 15<sup>th</sup> day of November, 2018, I filed the foregoing electronically through the CM/ECF system, which caused all counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

Electronically Filed  
Donald F. Kochersberger III  
*Attorney for Defendant Kirby Cleveland*